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BY ECF AND EMAIL

The Honorable Katherine Polk Failla
United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: In re Tether and Bitfinex Crypto Asset Litigation, No. 19 Civ. 9236 (S.D.N.Y.)

Dear Judge Failla:

We write on behalf of the B/T Defendants to seek permission to file under seal the exhibits attached to the B/T Defendants' opposition to Plaintiffs' motion to compel (Dkt. No. 468).

The B/T Defendants have attached to their opposition deposition transcripts and correspondence between the parties that contain highly sensitive information, including detailed information regarding the B/T Defendants' business and the crypto accounts and/or transactions of the B/T Defendants, their customers, and/or third parties. As courts have recognized in the analogous context of banking records, "the asserted interests in protecting non-party privacy, proprietary business information, and business records outweigh[] the public's right to access" those materials. *SEC v. Telegram Grp., Inc.*, 2020 WL 3264264, at *6 (S.D.N.Y. June 17, 2020). Thus, courts in this Circuit routinely permit such information to be filed under seal given the "strong privacy interests" at issue. *SEC v. Ripple Labs, Inc.*, 2022 WL 17751466, at *4 (S.D.N.Y. Dec. 19, 2022).

The exhibits at issue also include an excerpt of the Anonymous Trader's deposition testimony and testimony by numerous other witnesses regarding the Anonymous Trader.

The B/T Defendants therefore respectfully request leave to file Exhibits 1 through 8 under seal.

Respectfully submitted,

/s/ Elliot Greenfield